

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last Revised August 1, 2020

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

IN RE:

Geedman, PeterCase No. 23-11148
Judge CMG

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

Original
 Motions Included

Modified/Notice Required
 Modified/No Notice Required

Date: September 5, 2023

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: FJF

Initial Debtor: PG Initial Co-Debtor:

Part 1: Payment and Length of Plan

- a. The debtor shall pay \$ 300.00 for 2 months, then \$425.68 for 5 months; thereafter \$746.00 for 53 months for a total of 50 months .
- b. The debtor shall make plan payments to the Trustee from the following sources:
- Future Earnings
- Other sources of funding (describe source, amount and date when funds are available):
- c. Use of real property to satisfy plan obligations: Sale of real property Description:
Proposed date for completion:
- Refinance of real property Description:
Proposed date for completion:
- Loan modification with respect to mortgage encumbering property Description:
Proposed date for completion:
- d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. Other information that may be important relating to the payment and length of plan: Debtor will continue monthly mortgage payment to CMG Mortgage and US Dept of Housing & Urban Development outside the plan. The Priority and Secured portions of the proof of Claim filed by on behalf of the Internal Revenue Service will be paid full through the plan.

Part 2: Adequate Protection NONE

- a. Adequate protection payments will be made in the amount of \$ None to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ 1365.00 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to CMG Mortgage (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Broege, Neumann, Fischer & Shaver, LLC	Administrative Expense	0.00
Internal Revenue Service	priority Taxes	14431.83

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount: Check one:

None

- The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid

None

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: [x] NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: [X] NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
None					

c. Secured claims excluded from 11 U.S.C. 506: [X] NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
None				

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments [X] NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

<input checked="" type="checkbox"/> None						
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender [X] NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
<input checked="" type="checkbox"/> None			

f. Secured Claims Unaffected by the Plan [] NONE

The following secured claims are unaffected by the Plan:

**CMG Mortgage, Inc.
US Dept of Housing & Urban Development**

g. Secured Claims to Be Paid in Full Through the Plan []

Creditor	Collateral	Total Amount to be Paid through the Plan
<input checked="" type="checkbox"/> Internal Revenue Service	Tax Lien on 1080 Lizzie Court Brick NJ Motor vehicle and right, title and interest to property 26-U.S.C. Sec6321	26,140.13 plus 7% interest

Part 5: Unsecured Claims [] NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- Not less than \$ 0.00 to be distributed *pro rata*
 Not less than _____ percent
 Pro Rata distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
<input checked="" type="checkbox"/> None			

Part 6: Executory Contracts and Unexpired Leases [X] NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be	Nature of Contract or	Treatment by Debtor	Post-Petition Payment

	Cured in Plan	Lease		
None				

Part 7: Motions [] NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

- a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). [] NONE** The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

- b. Motion to Void Liens and Reclassify Claim from Secured to Completely Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Total Amount of Lien to be Reclassified
None						

- c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. [X] NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None					

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

Upon Confirmation
Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Sections 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) **Trustee Commissions**
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-petition claims The Standing Trustee [] is, [X] is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification [] NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 4/13/2023

Explain below why the Plan is being modified.	Explain below how the Plan is being modified.
To amend the plan to include the priority claim of the IRS and the secured claim of the IRS. Also the US Department of Housing & Urban Development	Payment to include priority and secured claims of the IRS and to advise that the claim of U S Dept of Housing and Urban Development is not affected by the bankruptcy. Unsecured creditors will receive 0/0%.

Are Schedules I and J being filed simultaneously with this Modified Plan? [] Yes [X] No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date 9/6/2023

/s/ Peter Goodman

Debtor

Date: 9/6/2023

/s/ Frank J. Fischer, Esq

Attorney for the Debtor(s)

In re:
Peter Geedman
Debtor

Case No. 23-11148-CMG
Chapter 13

District/off: 0312-3
Date Rcvd: Sep 06, 2023

User: admin
Form ID: pdf901

Page 1 of 3
Total Noticed: 44

The following symbols are used throughout this certificate:

Symbol

- Definition**
- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
 - ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 08, 2023:

Recip ID	Recipient Name and Address
db	Peter Geedman, 1080 Lizzies Ct, Brick, NJ 08724-7172
519835530	Cmg Mortgage Inc, PO Box 77404, Ewing, NJ 08628-6404
519835534	Executive Credit Manag, 4 Waterloo Rd, Stanhope, NJ 07874-2653
519835536	Lvnv Funding LLC, Greenville, SC 29601
519843915	U S Attorney General, Peter Rodino Fed Bldg, 970 Broad St Ste 700, Newark, NJ 07102-2534
519835547	US attorney General, Peter Rodino Fed Bld, 970 Broad St Ste 700, Newark, NJ 07102-2534

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Sep 06 2023 20:22:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Sep 06 2023 20:22:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	Email/Text: sbse.cio.bnc.mail@irs.gov	Sep 06 2023 20:22:00	United States of America (Internal Revenue Service, U.S. Attorney's Office, 970 Broad Street, Suite 700, Newark, NJ 07102-2535
519835525	Email/Text: backoffice@affirm.com	Sep 06 2023 20:22:00	Affirm Inc, 650 California St Fl 12, San Francisco, CA 94108-2716
519835526	Email/Text: bk@avant.com	Sep 06 2023 20:22:00	Avant LLC/Web Bank, 222 N La Salle St, Chicago, IL 60601-1003
519885362	Email/Text: BKelectronicnotices@cenlar.com	Sep 06 2023 20:22:00	Cenlar FSB Attn BK Dept, 425 Phillips Blvd, Ewing, NJ 08618
519840791	+ Email/Text: BKPT@cfna.com	Sep 06 2023 20:21:00	CREDIT FIRST NA, PO BOX 818011, CLEVELAND,OHIO 44181-8011
519835527	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 06 2023 20:28:08	Capital One, PO Box 31293, Salt Lake City, UT 84131-0293
519863821	+ Email/PDF: ebn_ais@aisinfo.com	Sep 06 2023 20:39:21	Capital One N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
519835528	Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 06 2023 20:39:26	Cbna, PO Box 6497, Sioux Falls, SD 57117-6497
519835531	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Sep 06 2023 20:22:00	Comenitycapital/biglot, PO Box 182120, Columbus, OH 43218-2120
519835532	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Sep 06 2023 20:22:00	Comenitycb/modellsmvp, PO Box 182120, Columbus, OH 43218-2120
519835533	Email/Text: BKPT@cfna.com	Sep 06 2023 20:21:00	Credit First N A, PO Box 81315, Cleveland, OH 44181-0315
519835529	Email/Text: BNSFN@capitalsvcs.com		

District/off: 0312-3

User: admin

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Date Rcvd: Sep 06, 2023

Form ID: pdf901

Total Noticed: 44

519838321	Email/PDF: resurgentbknotifications@resurgent.com	Sep 06 2023 20:22:00	Ccs/First National Ban, 500 E 60th St N, Sioux Falls, SD 57104-0478
519835537	Email/Text: ml-ebn@missionlane.com	Sep 06 2023 20:28:07	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
519870078	+ Email/Text: bankruptcydpt@mcmc.com	Sep 06 2023 20:21:00	Mission Lane Tab Bank, PO Box 105286, Atlanta, GA 30348-5286
519835538	Email/Text: netcreditbnc@enova.com	Sep 06 2023 20:22:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
519862147	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 06 2023 20:40:31	Portfolio Recovery Associates, LLC, c/o THE HOME DEPOT, POB 41067, Norfolk, VA 23541
519897813	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Sep 06 2023 20:39:23	Portfolio Recovery Associates, LLC, c/o Wawa, POB 41067, Norfolk VA 23541
519883703	Email/Text: bnc-quantum@quantum3group.com	Sep 06 2023 20:22:00	Quantum3 Group LLC as agent for, Galaxy International Purchasing LLC, PO Box 788, Kirkland, WA 98083-0788
519841456	+ Email/Text: enotifications@santanderconsumerusa.com	Sep 06 2023 20:22:00	SANTANDER CONSUMER USA, P.O. Box 560284, Dallas, TX 75356-0284
519835540	Email/Text: bankruptcy@springoakscapital.com	Sep 06 2023 20:21:00	Springoakcap, PO Box 1216, Chesapeake, VA 23327-1216
519835539	Email/Text: enotifications@santanderconsumerusa.com	Sep 06 2023 20:22:00	Santander Consumer USA, PO Box 961211, Fort Worth, TX 76161-0211
519843913	+ Email/PDF: OGCRegionIIBankruptcy@hud.gov	Sep 06 2023 20:40:44	Sec of Housing & Urban Development, 451 Seventh street SW, Washington DC 20410-0002
519885114	Email/Text: bankruptcy@springoakscapital.com	Sep 06 2023 20:21:00	Spring Oaks Capital SPV, LLC, P. O. Box 1216, Chesapeake, VA 23327-1216
519835541	Email/PDF: ais.sync.ebn@aisinfo.com	Sep 06 2023 20:27:04	Syncb/Car Care Mavis T, C/o, PO Box 965036, Orlando, FL 32896-5036
519835544	Email/PDF: AIS.cocard.ebn@aisinfo.com	Sep 06 2023 20:27:17	Syncb/Walmart, PO Box 31293, Salt Lake City, UT 84131-0293
519835542	Email/PDF: ais.sync.ebn@aisinfo.com	Sep 06 2023 20:40:32	Syncb/lowes, PO Box 956005, Orlando, FL 32801
519835543	Email/PDF: ais.sync.ebn@aisinfo.com	Sep 06 2023 20:39:29	Syncb/ppc, PO Box 965005, Orlando, FL 32896-5005
519896095	+ Email/PDF: ebn_ais@aisinfo.com	Sep 06 2023 20:39:21	Synchrony Bank, by AIS InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
519835565	+ Email/PDF: ais.sync.ebn@aisinfo.com	Sep 06 2023 20:26:01	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
519835545	Email/Text: bncmail@w-legal.com	Sep 06 2023 20:22:00	Td Bank USA/Targetcred, PO Box 673, Minneapolis, MN 55440-0673
519835546	Email/PDF: Citi.BNC.Correspondence@citi.com	Sep 06 2023 20:28:07	Thd/Cbna, PO Box 6497, Sioux Falls, SD 57117-6497
519843914	^ MEBN	Sep 07 2023 10:34:02	U S Attorney General, U S Dept of Justice, 950 Pennsylvania Ave NW, Washington DC 20530-0009
519836075	Email/PDF: OGCRegionIIBankruptcy@hud.gov	Sep 06 2023 20:40:44	U.S. Department of Housing and Urban Development, 26 Federal Plaza, Suite 3541, New York, NY 10278
519835548	Email/Text: bankruptcynotices@vivecard.com	Sep 06 2023 20:21:00	Vive Financial, 380 W Data Dr, Draper, UT 84020-2308

District/off: 0312-3

User: admin

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Date Recd: Sep 06, 2023

Form ID: pdf901

Total Noticed: 44

519872911

Email/Text: ZenResolve@ebn.phinsolutions.com

Sep 06 2023 20:22:00

Makwa Finance in care of ZenResolve, 2770
Mission Rancheria Rd #315, Lakeport, CA 95453

TOTAL: 38

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
519835535	*	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346

TOTAL: 0 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 08, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 6, 2023 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor CMG Mortgage Inc. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Eamonn O'Hagan	on behalf of Creditor United States of America (Internal Revenue Service) eamonn.ohagan@usdoj.gov
Frank J. Fischer	on behalf of Debtor Peter Geedman rugger52@aol.com btassillo@aol.com;fischer.frankj.b127774@notify.bestcase.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5